



Implementing the Youth 'Anti-social Behaviour' Agenda: Policing the Ashton Estate

Joanna Sadler

Correspondence: Dr. Joanna Sadler, c/o Independent Police Complaints Commission, 90 High Holborn, London, WC1V 6BH, UK.¹ Email: Joanna.Sadler@ipcc.gsi.gov.uk

Abstract

The article presents findings of a doctoral research project that examined the implementation of legislation targeted at youth 'anti-social behaviour', which began with the Crime and Disorder Act 1998 (Sadler, 2004). A 2-year ethnographic case study examined the implementation of the legislation on an inner city housing estate in England, and the broader effects of the contemporary 'youth "anti-social behaviour" agenda' on local policing. Pseudonyms have been used throughout the article to preserve the anonymity of people and places. The research found that increasing knowledge about the legislation among local services involved in community safety, intensified the ways in which young people congregating in the estate's public spaces were problematized and policed. In turn, this began to exacerbate already fragile police-youth relationships and encouraged feelings of stigmatization and social exclusion among local young people.

Keywords: anti-social behaviour, policing, social exclusion, young people

Introduction

Today, if you open a newspaper, watch the news, read a political party manifesto, or visit a local council office, it is hard to avoid reading or hearing about 'anti-social behaviour' ('asb'). The term 'ASBO' – the acronym for 'anti-social behaviour order' – has even been included in the latest edition of the Collins English Dictionary (Hills, 2005: 21). Local and national newspapers – both broadsheets and tabloids – regularly include stories of ASBOs and so-called 'yob culture'. On 31 March 2006, the newspaper *Metro* reported increasingly bizarre uses of ASBOs, including for a compulsive rubbish collector, a 'petrol drinker', and a twenty-eight year-old male who liked to howl like a werewolf outside his home (Hills, 2006: 13). The prevalence of the term 'ASBO' has even been reflected in the nation's television soap operas and gossip magazines. In one episode of the BBC's *Eastenders*, (14 April 2005), Garry Hobbs responded to being woken up in the middle of the night (by noise outside) exclaiming, 'I tell you, if I find out who that is I'll get an ASBO on them!' Likewise, the May 2006 edition of *New Woman* magazine awarded a 'Fashion ASBO' to the most badly dressed celebrity (Anon, 2006: 16).

ASBOs are a core feature of contemporary political concern with 'anti-social behaviour' that was launched by the New Labour Government's Crime and Disorder Act 1998. Under the legislation, ASBOs, local child curfew schemes, parenting orders, child safety orders and police powers to take truants back to their schools, were all intended to deal with 'non-criminal' or 'sub-criminal' behaviour,² both because of the 'quality of life' effects of the behaviour itself, and the perceived risk that it could develop into crime. In this way a focus on 'asb' can be compared to Wilson and Kelling's (1982) 'broken windows' thesis, and the zero-tolerance policing measures that it has encouraged (Young, 1999).

The plethora of new interventions are particularly focused upon children and young people³ and aim to regulate them spatially (where they can be) and socially (what they can do there). That the legislation defines 'anti-social behaviour' as the causation or *likely* causation of 'harassment, alarm or distress'⁴ renders it open to wide-ranging interpretation, providing seemingly limitless opportunities for its identification, and subsequent intervention. In a Home Office research study into the progress of ASBOs, Campbell (2002:13) listed the range of behaviours for which they have so far been used, including ambiguous terms such as 'threats', 'noise' and 'intimidation', as well as defined criminal acts such as 'assault' and 'graffiti and criminal damage'. Likewise, official ASBO guidance lists types of behaviours including 'general loutish and unruly conduct' as well as 'racial harassment, drunk and disorderly behaviour, throwing missiles, vehicle crime and prostitution' (Home Office, 2003: 12).

It is the ambiguity around definitions of 'asb', and its blurred distinction from 'crime' that makes the legislation so significant, and this is why throughout this article quotation marks are given when using the term (apart from when quoting its use by someone else), to continue to render it problematic. Card and Ward (1998: 3), therefore, viewed the Crime and Disorder Act 1998 as delivering the party's pledge to be 'Tough on crime; tough on the causes of crime' 'by widening the reach of the law and strengthening the criminal justice process against juveniles'. Moreover, Waiton (2001: 15) observes that 'under the banner of attacking antisocial [sic] behaviour' New Labour 'has gone further than previous governments ever dared in criminalizing more and more areas of life' (see also Brown, 1998: 75).

This article presents the findings of a doctoral research project, which set out to examine the implementation of the youth 'anti-social behaviour' legislation and, more broadly, the effects of this 'agenda' on the everyday policing of young people. It focused on a detailed ethnographic case study of policing on a housing estate in an inner city area in England. The aim was to explore how the criminalization of a seemingly endless range of behaviours, in the form of the new legislation, was affecting the ground level policing of young people. In order to set the context of the research, the article continues with a brief discussion of the key features of, and recent developments in, the youth 'anti-social behaviour' legislation. It then provides a detailed overview of the research findings.

Key Developments in the Youth 'Anti-social Behaviour' Legislation

Since the Crime and Disorder Act 1998, the political concern with 'anti-social behaviour' has spiralled. The Criminal Justice and Police Act 2001, which the national

media dubbed as a response to ‘job culture’,⁵ introduced powers for the police to give penalty notices for offences including ‘disorderly behaviour while drunk in a public place’.⁶ The Police Reform Act 2002 extended the powers to implement ASBOs to British Transport Police and Registered Social Landlords, and also enabled interim orders, and ‘bolt-on’ orders or ‘CRASBOs’ following a criminal conviction. The youth ‘anti-social behaviour’ agenda has also led to the development of local initiatives, including Acceptable Behaviour Contracts (ABCs), originally designed to ‘tackle anti-social behaviour on Islington Council estates, particularly among teenagers’ (Islington Borough Police and Islington Council, 2001: 1).

More recently, the police have been provided with further powers under the Anti-social Behaviour Act 2003, including for the ‘dispersal of groups and removal of persons under 16 to their place of residence’ in designated areas where ‘members of the public have been intimidated, harassed, alarmed or distressed as a result of the presence or behaviour of groups of two or more persons in public places’ (Section 30, subsection 1). In 2003 the Home Office also launched their ‘Together’ campaign, centred upon a website that provides support and information to practitioners and members of the public, to tackle ‘asb’.

While the most striking point about the ‘anti-social behaviour’ legislation is the lack of a clear definition of what it targets, several key themes run through the accompanying Home Office guidance, especially that for ASBOs.⁷ Two of these are particularly significant. In the original guidance a specific link with young people was made, particularly in some examples that it outlined, of where an ASBO might be appropriate. These included

... where there is persistent unruly behaviour by a small group of individuals on a housing estate or other local area, who may dominate others and use minor damage to property and fear of retaliation, possibly at unsociable hours, as a means of intimidating other people...’ and ‘where there are families whose anti-social behaviour, when challenged leads to verbal abuse, vandalism, threats and graffiti, sometimes using the children as the vehicle for action against neighbouring families.

(Home Office, 1999: 7)

The former has inherent associations with young people as they are most commonly identified with ‘hanging around’ in groups and becoming involved in vandalism (see Pearson, 1983; Muncie, 1999a; Cohen, 1972). The examples also draw on particular ideas about the location of ‘asb’, especially housing estates, and this is also implied in a discussion of ABCs, in more recent guidance, which states that they were ‘originally introduced to deal with problems on estates being caused by young people aged between 10 and 17’ (Home Office, 2003: 8). This is in accordance with contemporary trends in crime prevention, which Goldson (1999: 14) suggests focus on the ‘problem area’ and ‘crime-prone estate’.

In the light of these assertions about the location of ‘asb’ and the nature of ‘anti-social’ people, the research was concerned with policing in areas that have historically been marginalized and criminalized. This follows a body of research conducted around the use of risk-based interventions principally in the USA, especially around youth curfew schemes. Reuffe and Reynolds (1995: 347), for example, express a concern that curfews

are 'discriminatory toward both minority and lower economic status youths', while Jeffs and Smith (1995: 11) write that 'it requires scant imagination to envisage those localities where the curfew would be most energetically enforced or those individuals who would be most frequently apprehended for violating it' (see also Jamieson, 2005; Hemmens and Bennett, 1999; Goldson and Chigwada-Bailey, 1999). Thus the research was concerned with how a local history of criminalization might shape or lead to a focus on youth 'asb' in policing, as well as the effects of this on local young people. While an ever-increasing body of literature has developed around the 'anti-social behaviour' legislation – much of which critiques it and raises concerns about the politics behind it (for example, Burney, 2005, and Squires and Stephen, 2005) – there has been very little empirical, case study based research that has examined its practical implementation and effects.

The research focused on a detailed ethnographic case study of the policing of youth 'asb' on an inner city housing estate, which was given the pseudonym the Ashton Estate.⁸ The estate is on the edge of Embridge (also a pseudonym), an inner city district in England, and is characterized by medium- and high-rise tower blocks that were built in the 1960s and 70s and are gradually being redeveloped into low-rise housing. It has a large young population and a very large black community (70 per cent describing themselves as 'black').⁹ The estate has a history of stigmatization in both the local and national media for an association with crime, most recently drugs-related gun crime, and such representations have tended to be heavily racialized. At the time of the research, this culminated in the launch of an anti-gun crime policing initiative, followed by a high profile anti-drugs operation, which saw large numbers of police 'raid' the estate.

The Ashton Estate Case Study

The research required an in-depth research methodology, which involved over two years of fieldwork. This included detailed critical analysis of local 'asb' policy and protocol documents, qualitative semi-structured interviews with local stakeholders in community safety, including police officers, the Youth Offending Team (YOT), local council officials, and the Ashton Housing Association, local residents and young people. Participant observation was also carried out with police patrols of the estate (both the response teams and local Community Team),¹⁰ with young people at two local youth clubs, and community safety meetings were also observed. The volume and intensity of fieldwork enabled a detailed insight into the experiences of local young people in terms of living on the estate and contact with the police, and also a clear picture of what police officers and community safety practitioners considered were the local community safety issues and how they were dealt with.¹¹ The following section discusses each of the main bodies of research evidence beginning with the local community safety strategies, followed by observed policing practices, and finally young people's experiences of policing on the estate.

Local community safety strategies

There were three key aspects of local strategy; the Borough Community Safety Strategy (1999–2002), the Borough Anti-social Behaviour Protocol (ASBO Implementation)

document, and the Ashton Housing Association Community Safety Strategies (2001–2002 and 2003–2004). The Borough Community Safety Strategy (1999–2002) contained only two mentions of the ‘anti-social behaviour’ legislation. First, it was included at the end of an action plan for racially aggravated offences, and second at the very end in the summary:

The Borough’s partnership will also be implementing the requirements in the [Crime and Disorder] Act such as anti-social behaviour orders (ASBOs) and other orders as appropriate.

(The Borough Community Safety Strategy, 1999–2002)

In both instances the legislation appeared to be included as an afterthought or for the sake of including it, the lack of any explanation about how it might be used suggesting an underdeveloped understanding. This raised questions about the degree to which it would actually be implemented. Furthermore, that the above quote was the only reference in the whole strategy to ‘anti-social behaviour’ suggested that at the time of writing the term had not become a significant part of local community safety discourse. The strategy as a whole did, however, have a clear focus on issues that are central to the youth ‘asb’ agenda, namely fear of crime, order maintenance, ‘disorderly’ behaviour, and preventing offending by young people. This suggested that it was specifically the *phrase* ‘anti-social behaviour’ that had yet to enter local community safety discourse, as opposed to behaviour that might be described in this way.

That the translation of the legislation into the strategy was marginal at this stage was also hinted at by a key stakeholder in the Borough Community Safety Partnership. When interviewed, he was cautious about the use of measures such as ASBOs and curfew schemes, and demonstrated a desire to ‘get it right’, saying ‘we’re not ruling out anti-social behaviour orders, we’re just saying basically well hang on a minute let’s check that we know what we’re doing and what other ways there are of tackling those problems’. He highlighted issues such as inadequacies in local partnership working (especially poor communication between agencies) and over-burdened workloads that would make measures like ASBOs difficult to implement. Most significantly, however, he disputed whether ‘asb’ should even be prioritized in view of the fact that drugs-related gun crime was perceived to be the major issue in the area:

... are we going to use the police van going round enforcing curfews on ten and eleven year olds when we’ve got people getting shot down the road, or when there’s sort of big drug problems and when there’s people getting robbed etc? It is about prioritising.

(Stakeholder, Borough Community Safety Partnership)

This highlighted what was to become a key theme, namely the importance of the local context in determining the extent to which the ‘asb’ legislation would be used and related issues prioritized. As a public document, therefore, the borough strategy demonstrated the importance of *being seen* to be prioritizing issues such as fear of crime and crime prevention – which in itself is arguably at the very centre of the youth ‘anti-social behaviour’ agenda (see Squires and Stephen, 2005) – and in accordance with this, to be up-to-date with developments in the legislation.

There were similar contrasts between the ways in which notions of 'asb' were constructed and prioritized in the Borough Anti-social Behaviour Protocol document, and the ways in which local community safety practitioners talked about these issues when interviewed. The protocol document, produced jointly by the local Housing Department and Police 'Partnership' Unit,¹² set out that these were the lead agencies in implementing ASBOs, naming an 'anti-social behaviour coordinator' in each of the two organizations. The protocol constructed notions of 'anti-social' people that were similar to those in the Home Office guidance for ASBOs (see earlier), including problem families and young people living on housing estates, or 'loitering' around shopping areas. It also blurred the distinction between 'asb' and crime as ASBOs were suggested as alternatives for where criminal sanctions have failed. During the research, the Police Partnership Unit conducted a publicity campaign for ASBOs involving a poster and leaflet and features on the council website. The leaflet also made specific associations of 'asb' with young people, stating that ASBOs 'are aimed specifically at controlling and restricting the behaviour and movements of unruly youths aged ten and over'.

Significantly, both the leaflet and website claimed that ASBOs were already being used, while it was only at the very end of the research period that several potential cases for ASBOs were being discussed. This was illuminated by interviews with the 'asb' coordinators, both of whom gave much lower priority to issues of 'anti-social behaviour' than was given in the protocol document and publicity campaign. Indeed, both of them argued that 'asb' should not be the responsibility of their individual organizations. Regarding the use of ASBOs, the police 'asb' coordinator commented that 'It's a question of are they the best tool to use?' contrasting with the definitive stance in the protocol document, and demonstrating a similar view to the stakeholder in the Borough Community Safety Partnership. Related to this, he criticized the lack of clarity within the legislation around the definition of 'anti-social behaviour', suggesting that it could range from 'spitting' to 'violent offences' and thus that ASBOs would be too severe in some cases, while too lenient in others. This suggested that the 'asb' coordinators were unhappy with the ambiguity surrounding the term, and also with the range of non-criminal behaviour that it could cover, clearly perceiving this to be outside of their professional concerns. It also highlighted again the significance of the local context (the dominance of concerns about gun crime) in the extent to which notions of non-criminal 'anti-social behaviour' were being prioritized. Thus the ASBO leaflet and protocol document were clearly part of an initial amount of local 'hype' about the legislation, again stemming from a concern with being seen to be up to speed with recent developments in community safety.

Ashton Housing Association (HA)

The fieldwork was conducted at a time that was pivotal in the evolution of Ashton Housing Association's (HA) community safety agenda. This was characterized by a concern with maintaining a newly-gained sense of 'order', following the high profile anti-drugs operation (described earlier). This was particularly evident in the HA community safety project meetings¹³ following the drugs raid, which tended to focus upon how

various problems on the estate had been solved, including ‘crack houses’ and ‘dealing hotspots’, and the elimination of problems with particular tenants. The ethos of the meetings was that the raid had enabled a ‘fresh start’ on the estate, thus the attention could be turned to ‘quality-of-life’ issues and environmental management, essentially in the form of keeping a check on lower level crime and disorder, such as the removal of abandoned cars.

A similar notion of a ‘fresh start’ was demonstrated in the subsequent HA Community Safety Strategy (2003–2004). Here, ‘asb’ was cited as part of a more preventative or order maintenance stance, which included a focus on quality-of-life matters, alongside removing rubbish, abandoned cars and graffiti, and speeding up building repairs. Thus the focus on ‘asb’ resembled the ethos behind zero-tolerance policing such as that described by Hopkins Burke (1998: 7) who writes that ‘a tendency towards serious criminal behaviour in a neighbourhood’ can be ‘arrested’ by ‘proactively and assertively confronting anti-social behaviour, minor offenders and ‘quality of life’ offences’.¹⁴ Thus the corporate understanding and use of the term had developed significantly since the previous strategy (2001–2002) in which ‘asb’ was only mentioned in the sense that it would be tackled, and not defined or described at all. Indeed, the previous strategy also contained a target to implement two ASBOs by April 2002 (which was not achieved), again demonstrating a desire to be *au fait* with the new legislation, while failing to demonstrate this commitment on the ground. Like the Borough Community Safety Strategy, the previous HA strategy did, however, include issues that were described as ‘asb’ in the later version – including graffiti – but did not label them as such: again it appeared to be the *language* of ‘anti-social behaviour’ and the ways in which it was conceptualized and prioritized that developed, rather than the identification of particular problems on the estate. The influence of the youth ‘asb’ agenda was also apparent in the HA’s Harassment and Nuisance Procedure documents that were updated during the research to include ASBOs and ABCs. Examples it gave of their use included tackling ‘problems of young people gathering in communal areas and acting in an intimidating manner’.

Following the drugs raid, the renewed focus on prevention and lower level disorder was realized in increased patrols of the estate by the local police Community Team (CT). Furthermore, a police base was also opened on the estate, housing a Sergeant and three Police Constables (PCs) to create a permanent police presence. Publicity around the launch of the police base again highlighted the idea that there could be a fresh start on the estate in terms of law and order. Both the increased patrols and the police base were funded, largely, by the HA. Alongside these developments the term ‘anti-social behaviour’ was used increasingly, principally as a catch-all phrase to cover all problems of community safety alongside crime. It was also explicitly acknowledged as something distinct from crime when in an interview, the Ashton HA officer responsible for implementing the nuisance and harassment procedures, acknowledged that issues of ‘sub’ or ‘non-criminal’ behaviour had not been prioritized previously, because of the dominance of concerns about drugs-related crime. He argued that ‘to an extent it’s people who have not really thought about that because ... drugs was the main issue’. At the community safety project meetings, when ‘asb’ was discussed this tended to focus on

either individual nuisance tenants against whom eviction proceedings were being sought, or groups of young people congregating in the estate's communal spaces, which was becoming an increasingly dominant issue. However, the term also continued to be used to describe certain types of criminal behaviour – including drug-dealing – paralleling the wide uses of the term by the borough 'asb' coordinators. Likewise, the Ashton HA officer suggested the use of ASBOs as an alternative way of dealing with drug-dealers and prostitution. Thus although a specific concern with non-criminal 'anti-social behaviour' appeared to develop within the research period, there was still a lot of ambiguity surrounding the term.

Following the drugs raid, therefore, the community safety agenda on Ashton appeared to be driven, largely, by the Housing Association. The community safety project meetings also reflected the role of the HA in decisions around what policing should target on the estate, and that the input of other 'partnership' agencies such as the Borough Community Safety Partnership and the Police Partnership Unit was fairly limited. Indeed, it became clear that the HA officer responsible for harassment and nuisance procedures had a pivotal role in the eventual use of the legislation, particularly as he had previously been involved in implementing ASBOs and ABCs at a significant rate in a different area. As a direct result of his involvement, at the end of the research period ABCs were implemented on four children for repeatedly playing football against walls and in communal corridors. This was significant as, as will be shown, it demonstrated the first official action against young people for 'anti-social behaviour' in its own right, rather than because of an association with drugs-related crime.

Conversely, prior to the drugs raid community safety appeared to be more under the direction and control of the police, reflecting the more centralized crime and disorder priorities described by the borough 'asb' coordinators (discussed earlier), namely concerns about serious drugs-related crime including gun crime. Effectively, therefore, Ashton HA appeared only to take the lead on community safety when wider policing priorities had been carried out, and problems of drugs-related crime were deemed to be 'nipped in the bud'. This again highlights the importance of the local context in determining how and when the youth 'anti-social behaviour' agenda would come into play. It also highlights the varying levels of power and involvement within partnership work in community safety, and that these are subject to change.

Policing the Ashton Estate

The dominance of concerns with young people congregating in the estate's communal spaces towards the end of the research would suggest that they became a specific focus of the recent emphasis on crime prevention and order maintenance, and that the increased concern with 'anti-social behaviour' affected how they were policed. The final sections of this article will discuss the fieldwork conducted with the police and young people, to highlight how the youth 'asb' agenda began to influence the policing of young people on the estate.

Embridge Police Report and Action Plan (2000) highlighted that the main policing issue on the Ashton Estate was drug dealing. Indeed, where the term 'anti-social behaviour'

was used, this was to describe drug dealing, and thus criminal behaviour. Like the earlier HA strategy, the police action plan contained the target to ‘apply for at least one Anti-Social Behaviour Order by September 2000’ (a target that was not achieved), again showing a desire to be seen to be up-to-date with developments in the legislation. The dominance of concerns about drugs-related crime on the estate was also apparent in the interviews with the various police officers within Embridge CT, the Sergeant stating

Really nowadays from a police point of view the only problem is the drugs, mainly crack cocaine. Yes, there’s cannabis, but we find that crack cocaine is the problem and people come from other countries to buy the drugs on the Ashton Estate – it’s well known.

(Police Sergeant, Embridge CT)

It quickly became apparent that the dominance of concerns about drugs-related crime was a lens through which other issues of crime and disorder, as well as the estate in general, were viewed. Thus the officers talked frequently about the problems caused by young people hanging around on the estate, associating this with either drug use or an involvement in drug dealing. One PC for example talked about young people who would ‘congregate and then smoke drugs ... up to about midnight with no parental control on them at all’ (PC1, Embridge CT). Furthermore, ideas about crime on the estate were often racialized among the local police and others involved in community safety. For example, the CT Sergeant suggested that ‘the typical crack dealer on the Ashton Estate’ had ‘come over from Jamaica’.

The more senior police officers in the CT – the Inspector and the Sergeant, and other senior officers within the borough – had a clear idea of how ‘asb’ may be distinct from crime, in terms of lower level ‘sub-criminal’ behaviour. The Superintendent in charge of uniformed policing, for example, suggested that the ‘asb’ legislation had not been used widely because of the prioritization of drugs-related crime, and the Inspector responsible for the CT suggested that ‘asb’ had ‘slipped down the agenda’ because of gun crime. However, the officers continued to blur the boundary between young people congregating and drug use. The CT Sergeant for example commented:

The response teams that’s how they get to know about anti-social behaviour, a call will come into the control room, a typical one is you know, youths smoking drugs in the hallway.

(Police Sergeant, Embridge CT)

When interviewed, the PCs on the team also felt that ‘anti-social behaviour’ was distinct from crime, in terms of a lesser, sub-criminal category, however in this context several of them felt that the term could not be used to describe the problems with young people on Ashton at all, as the problems there were so severe. PC2, for example, commented:

I mean it’s either they go from nothing to sort of dealing or shoplifting or robbing, so they do this great big leap don’t they... so when you talk about anti-social I don’t know, people from Embridge tend to get involved more in actual criminal activities... rather than sort of kiddie stuff.

(PC2, Embridge CT)

Likewise, PC1 commented:

... there's [name of tower block] and a set of steps where they tend to hang around but that's probably tied in with the adult side of drug dealing.

(PC1, Embridge CT)

Significantly, however, when discussing the general problems involving young people on the estate, the PCs cited exactly those sorts of problems that may come under the 'anti-social behaviour' legislation, including the intimidating presence of young people congregating and creating noise nuisance. Again, therefore, it appeared that the seriousness with which ground level police perceived problems on the estate, because of an association with drugs-related crime, became the lens through which all issues, including young people congregating, were viewed. Thus they could not equate these issues with what they deemed to be the less serious classification, 'anti-social behaviour'. In contrast, the CT Sergeant and senior officers suggested that the minor issues they equated it with did exist, but could not be prioritized because of more pressing concerns with serious crime. This would suggest that in their eyes, the opportunity to focus on these more minor issues, such as young people congregating, was provided by the increased police patrols, which were funded as a result of Ashton Housing Association's concern with order maintenance and 'quality of life' matters. Indeed, the police patrols that were observed, which were part of this initiative, did focus on young people congregating, as well as certain 'hotspots' associated with drug dealing (balcony corridors and walkways, and the bottom of certain blocks of flats). These patrols centred upon the observation (both covert and overt) and following of groups of young people to 'catch them in the act' of smoking cannabis. Thus the concern with young people congregating continued to be dominated by assumptions made by ground level police, about the involvement of drugs.

Policing 'anti-social behaviour'?

The significant issue, therefore, was whether the police focus on young people congregating could be attributed to the infiltration of a new concern with youth 'anti-social behaviour', as a result of the contemporary youth 'asb' agenda. Interestingly, during the patrols, the CT Sergeant specifically used the term 'anti-social behaviour' to describe the actions of a group of young people. On this occasion, the officers had come across a group of boys in one of the high-rise blocks who they suspected were smoking cannabis. Attempting to follow them, they were stranded on a higher floor as the boys held the lift downstairs. When the officers caught up with them, the Sergeant referred to their holding the lift as 'anti-social behaviour', which he stated was now an 'offence' under new legislation. Given that in his interview he had stated that 'asb', which he identified with young people smoking cannabis, was *not* a policing priority, this incident, and the focus of the patrols in general, suggested that such lower-level criminal or sub-criminal behaviour had indeed become a new focus of policing during the research period. Moreover, this would correspond with the new discursive emphasis on order maintenance and 'quality of life' matters by Ashton Housing Association. However, the interviews with the CT PCs, in which they suggested that young people congregating was one

of the major problems, and one of their major focuses, on the estate (although they did not equate this with the phrase ‘anti-social behaviour’) suggested that it was more how policing and policing problems on the estate were *talked about*, rather than how policing was actually conducted, that changed, although the focus on young people congregating had clearly intensified as a result of the increased patrols. This was illuminated by the fieldwork with young people on the estate, the focus of the final section.

The accounts of young people on the estate

The participant observation and interviews with young people at two of the local youth groups offered perspectives on how policing had been conducted in the past, and of recent changes in policing following the raid and introduction of the specific focus on ‘quality of life’ matters. The fieldwork was also a useful backdrop against which to discuss the continuing developments in ‘asb’ policies and practices on the estate in terms of their potential impacts on local young people.

The interviews uncovered several key themes. Ideas about policing on the estate centred upon notions of intrusiveness and invasiveness. When asked to talk about experiences of the police, the most common story was of being approached and questioned while hanging around with friends in the estate’s communal spaces. Many highlighted that they were regularly approached on the balcony-landings of the medium-rise blocks, and as these areas were considered to be extensions of each home, the police presence there was felt to be particularly intrusive. Comments included:

‘cos like they come up on the landing to check up on us and everything, but they’re just everywhere now.

(female, 16 years)

They’re always gonna come up. As long as you live round here they’re always gonna bother you.

(male, 20 years)

The first comment was especially significant considering the temporal context of the interviews. She suggested that recently police presence on the estate had become even more pervasive, clearly noticing the extra police patrols following the drugs raid. However, this also suggested that being approached and questioned while congregating was not a new experience, and likewise the second subject suggested that he had long been resigned to the fact that he would be approached and questioned for hanging around on the estate. Significantly, many of the older young people who were interviewed associated contact with the police with racial discrimination and harassment. In response to the question of what sorts of reasons the police have given for stopping him, one 19-year-old commented

They just come... because I’m black they just come up to me, they ain’t got nothing better to do than stop black people, me myself personally anyway.

(male, 19 years)

Likewise, most of the young people had a strong sense of being criminalized for living on Ashton, because of its strong reputation for drugs:

Because we wear like all nice clothes and that and we've got money and that, they think that we're selling drugs but we're not, we work hard for that money.

(male, 19 years)

...they come up to us because we live in Ashton and want to arrest us just for living here because they think we're up to something because of what the area's about.... But there's been times when we're just standing up in a place and they've come walking around, watching us and come around searching us for no reason, just thinking we've got stuff.

(male, 15 years)

Interestingly, while there was a strong sense among local young people that race was a key factor in the area's stigmatization, many of them felt that everyone on Ashton was criminalized to the same extent:

Interviewer – 'Does it matter if you're black or white?'

Respondent – Once upon a time. Nowadays it doesn't matter. It really doesn't matter if you're in this area. If you're in another area then yeah it probably matters just 'cos you're black, but in this area you could be black, white, all at one time.

(male, 20 years)

Another recurring theme was that the views and experiences of their peers were central in shaping the young people's ideas about the police. This was reflected in their views about how the police generally behave, including that they 'are abusive', while one respondent put this relationship into words:

Sometimes when [the police] have done nothing wrong [young people] are still suspicious, because they've heard of their friends or someone they know or someone in the family or something, police have stopped them, now they've got taken back to the jail cell for no reason, been held for like 12 hours.

(male, 18 years)

To summarize, local young people felt that their common and long-standing experience of the police was of being subjected to surveillance and regulation and approached while hanging around the estate's communal spaces, because of the assumption that they must be involved in drug use or dealing. At the same time, several of the young people commented on the increased police presence following the drugs raid, suggesting that policing was becoming even more invasive and pervasive. This highlighted, therefore, direct empirical effects on local young people, of an increased concern with so-called youth 'anti-social behaviour' following the drugs raid. Furthermore, the fact that the majority of young people felt that policing had always been discriminatory (especially along lines of 'race'), confrontational and concerned with approaching groups of young people 'for no reason', and that knowledge of 'other people's experiences' formed a collective notion of police behaviour, also drew attention to the consequences of any further intensification of policing as a result of a concern with 'anti-social behaviour'. This would be to the further detriment of relations between the police and the estate's young people, particularly those from the black community, for whom ideas about discrimination were much more culturally and historically embedded.

Conclusion

The research was conducted in the early stages of the youth ‘anti-social behaviour’ agenda, which has since evolved and gained impetus under the Anti-social Behaviour Act 2003. Thus it provided important lessons as to how the legislation may be adopted in local contexts and the broader effects of the agenda on local policing practices. Significantly, it found that local crime and disorder priorities – which in the Ashton area centred upon heavily racialized notions of crime and more recently drugs-related gun crime – greatly affected how the legislation was adopted. In the first instance, the legislation was adopted only at the level of public strategy documents, clearly out of a concern with being seen to be up-to-date with new legislation, especially as ‘asb’ had received much political attention. Gradually however, ‘asb’ came to be prioritized in its own right once more serious issues of drug dealing were deemed to be ‘nipped in the bud’ following the drugs raid. The impact of this was apparently demonstrated in the increased police patrols that were observed, which focused on young people congregating in the estate’s communal areas.

Paradoxically however, the fieldwork with local young people, as well as the interviews with police, highlighted that young people congregating had long been a focus of policing on the estate, precisely because of the concern with drugs-related crime, as they too were considered to be involved in drug use or dealing. Thus it appeared to be how young people on the estate were *problematized*, rather than how they were *policed* that changed; effectively the youth ‘anti-social behaviour’ agenda became another way of criminalizing local young people hanging around in the estate’s public spaces, and provided yet more justification for targeting them during police patrols. It could be argued that, previously, young people on the estate had been targeted in a more ‘reactive’ sense because it was assumed that they were involved in crime (this was particularly evident in the police officers’ accounts). The infiltration of knowledge about the ‘asb’ agenda however encouraged the same policing in the name of crime prevention and maintaining ‘quality of life’. However, as well as legitimizing the intensive policing of young people, towards the end of the research the new tools that the agenda provided were also being adopted, including the four ABCs on young people, and discussions about using ASBOs to curb prostitution and drug dealing. While this again drew attention to the effect of the local context on how the legislation has been adopted (namely the use of the legislation to deal with drug dealing), it also highlighted that the legislation might broaden the ways in which young people are criminalized; again, the ABCs were the first formal recognition of youth ‘anti-social behaviour’ that was perceived as in no way connected with congregating in groups to use or deal drugs. Thus to an extent two processes were happening on Ashton, the dominant one being the fitting of legislation around the local context and community safety priorities. A second process, however, was also beginning to emerge, namely the effect of the youth ‘anti-social behaviour’ agenda itself, on the identification and prioritization of further community safety priorities. Significantly, however, this latter process appeared to be governed by the former, as local crime and disorder priorities determined *when* the ‘asb’ agenda would have an impact (namely after the drugs raid on the estate).

The research highlighted the potential impact of the youth 'anti-social behaviour' agenda on young people who have previously been criminalized along lines of 'race' and 'class'. Notions of discriminatory policing and feelings of general stigmatization were entrenched among local young people; feelings which the intensification of policing and, potentially, the use of tools such as ASBOs and ABCs, would serve to exacerbate. Indeed, that this process had already begun was shown in the young people's responses to the increased police patrols. These findings can be tied in to the body of research that has been conducted around the use of blanket curfews to curb youth 'asb' (see earlier). It has been observed that the imposition of tighter social controls over young people may actually encourage problematic behaviour (see Goldson, 1999 and Muncie, 1999b: 159). Hillman (2001: 13) for example writes that 'setting ever tighter constraints on children's freedoms and making them more distrustful of adults they do not know, and resentful of the control that adults can exercise over them, could be seen as a clever way of inducing alienation, and antisocial [sic] behaviour' (see also Jamieson, 2005). Likewise, discussing the piloting of curfews in the Hamilton area of Scotland, Waiton (2001:84) suggests that measures of this kind make young people feel 'harassed and confused about why the police [move] them on or [tell] them to go home at night'.

At the time of writing, the Home Office had just released their quarterly figures on the use of ASBOs across England and Wales. Between July and September 2005, 816 were issued – a 7 per cent increase on the figures for the same period in 2004. Of these, 43 per cent were given to 'juveniles' (Home Office press release, 30 March 2006).¹⁵ As a result of these figures, the children's charity Barnardo's issued stark warnings about the potentially adverse impacts on children and young people. As part of a statement, Barnardo's said:

ASBOs have their place but their overuse is unnecessarily catapulting children into a custodial system which has so many children in it that the chances of rehabilitation are extremely slim and the chances of deeper criminalisation very likely.

(Barnardo's press release, 29 March 2006, quoting Martin Narey, Chief Executive)¹⁶

It is important to highlight that the research did not set out to dismiss the very real issue of nuisance behaviour that affects the lives of many. Rather, it showed that beyond the specific use of ASBOs and other related measures, policy makers and practitioners must be aware of the broader impact of the 'anti-social behaviour' legislation and the wider agenda of which it is part, especially in areas that have been stigmatized in the past. Not only may an area's reputation encourage the intensification of policing in the name of a clamp down on 'anti-social behaviour', but also this may have a particularly adverse effect on the local community. Such is the case on Ashton, where the intensification of policing has increased the already entrenched distrust of the police among local youth. Thus despite the fact that at the end of the research an ASBO had yet to be implemented on Ashton, it was the more general impact of the agenda that provided cause for concern. Indeed, in terms of the Home Office guidance around the legislation (see earlier), the Ashton estate is 'atypical' in that the lower level disorder for which the legislation was created, was greatly overshadowed by concerns about more serious crime.

In a sense, therefore, that the youth ‘anti-social behaviour’ agenda had an impact was all the more significant.

The research concluded, therefore, that more in-depth empirical research is needed to monitor the broader impacts of this agenda, alongside the effects of specific measures like ASBOs. Indeed, this is perhaps even more important in the wake of further measures including the dispersal powers under the Anti-social Behaviour Act 2003. This is necessary to ensure that targeting youth ‘anti-social behaviour’ is not another way in which certain groups are both policed in a discriminatory way, and become the subjects of even more forms of enforced exclusion and control. As the phrase ‘the ASBO generation’¹⁷ has already been coined however, it could be argued that we are already too late.

Notes

- 1 This article presents the findings of an independent research project and it should not be taken to reflect, or in any way represent, the views of the IPCC. The research was funded by a PhD studentship from the Economic and Social Research Council (ESRC), completed at Goldsmiths College, University of London.
- 2 Please note that the definitions of ‘anti-social behaviour’ are discussed later on; it is important to highlight here that the term is extremely broad and the boundary with ‘criminal’ behaviour is often blurred.
- 3 ASBOs can also apply to adults, although the Home Office guidance has a particular focus on young people; this is discussed presently.
- 4 The Crime and Disorder Act 1998, Part I, Chapter I, Section 1, subsection 1.
- 5 For example ‘Yob culture: Are curfews the answer?’ BBC News website, URL (consulted January 2001): http://www.news.bbc.co.uk/hi/english/t...g_point/newsid_1143000/1143408.stm.
- 6 Criminal Justice and Police Act 2001, Chapter 1, Part 1.
- 7 N.B. Since the research the Home Office guidance on ASBOs has been updated, so the two versions are distinguished here by date (1999 and 2003).
- 8 Throughout the article pseudonyms are used for the names of all places and people involved in the research. Any similarity to the names of real places is entirely coincidental and unintentional.
- 9 Data obtained from the Ashton Housing Association.
- 10 The Community Team or CT were engaged in community policing (see Crawford, 1997 and Friedmann, 1992) which focused on foot patrols and close contact with the local community. This meant that they were most likely to have a knowledge of, and involvement in, issues of ‘asb’.
- 11 The research did, of course, yield some complex methodological and ethical research issues, although there is not the scope to discuss these here.
- 12 This had a particular focus on ‘hate’ crimes, such as racially motivated or homophobic violent crimes, and was the unit within the borough police responsible for ASBOs.
- 13 These meetings brought together stakeholders involved in community safety on the estate, including the HA, local police, and community leaders.
- 14 See also the earlier discussion of Wilson and Kelling’s (1982) Broken Windows Theory.
- 15 Source: URL (consulted April 2006): <http://www.together.gov.uk/article.asp?c=408&aid=3631>.
- 16 Source: URL (consulted April 2006): http://www.barnardos.org.uk/news_and_events/media_centre/press_releases.htm.
- 17 This formed the headline of an article in *the Independent* on the 20 June 2005 (Verkaik, 2005:1).

References

- Anon (2006) 'Red-carpet Report', *New Woman* May: 16.
- Brown, S. (1998) *Understanding Youth and Crime: Listening to Youth?*, Buckingham: Open University Press.
- Burney, E. (2005) *Making People Behave: Anti-social Behaviour, Politics and Policy*. Cullompton: Willan Publishing.
- Campbell, S. (2002) *A Review of Anti-social Behaviour Orders*, Home Office Research Study 236. London: Home Office.
- Card, R. and Ward, R. (1998) *The Crime and Disorder Act 1998: A Practitioner's Guide*. Bristol: Jordan Publishing Ltd.
- Cohen, S. (1972) *Folk Devils and Moral Panics*. London: MacGibbon & Kee.
- Crawford, A. (1997) *The Local Governance of Crime*. Oxford: Oxford University Press.
- Friedmann, R. R. (1992) *Community Policing: Comparative Perspectives and Prospects*. Hemel Hempstead: Harvester Wheatsheaf.
- Goldson, B. (1999) 'Youth (In)Justice: Contemporary Developments in Policy and Practice', in B. Goldson (ed.) *Youth Justice: Contemporary Policy and Practice*, pp. 1–27. Aldershot: Ashgate Publishing.
- Goldson, B. and Chigwada-Bailey, R. (1999) '(What) Justice for Black Children and Young People?', in B. Goldson (ed.) *Youth Justice: Contemporary Policy and Practice*, pp. 51–74. Aldershot: Ashgate Publishing.
- Hemmens, C. and Bennett, K. (1999) 'Juvenile Curfews and the Courts: Juridical Response to a Not-So-New Crime Control Strategy', *Crime and Delinquency* 45(1): 99–121.
- Hillman, M. (2001) 'Introduction: More Restrictions, More Trouble Ahead', in S. Waiton, *Scared of the Kids? Curfews, Crime and the Regulation of Young People*, pp. 9–14. Sheffield: Sheffield Hallam University Press.
- Hills, S. (2005) 'Chavs Gain Kudos with Buzz Words', *Metro* 9 June: 21.
- Hills, S. (2006) 'Children "Victims of Record Asbos"', *Metro* 31 March: 13.
- Home Office (1999) *Anti-social Behaviour Order – Guidance*. London: Home Office.
- Home Office (2003) *A Guide to Anti-social Behaviour Orders and Acceptable Behaviour Contracts*. London: Home Office Communication Directorate.
- Hopkins Burke, R. (ed.) (1998) *Zero Tolerance Policing*. Leicester: Perpetuity Press Ltd.
- Islington Borough Police and Islington Council (2001) *Acceptable Behaviour Contracts: Tackling Anti-social Behaviour in Islington Borough*. London: Islington Borough Police and Islington Council.
- Jamieson, J. (2005) 'New Labour, Youth Justice and the Question of "Respect"', *Youth Justice* 5(3): 180–93.
- Jeffs, T. and Smith, M. K. (1995) 'Getting the Dirtbags Off the Streets – Curfews and Other Solutions to Juvenile Crime', *Youth & Policy* 53: 1–14.
- Muncie, J. (1999a) *Youth and Crime: A Critical Introduction*. London: Sage Publications.
- Muncie, J. (1999b) 'Institutionalized Intolerance: Youth Justice and the 1998 Crime and Disorder Act', *Critical Social Policy* 59 (19/2): 147–75.
- Pearson, G. (1983) *Hooligan: A History of Respectable Fears*. London: Macmillan Press.
- Reuffe, W. and Reynolds, K. M. (1995) 'Curfews and Delinquency in Major American Cities', *Crime and Delinquency* 41(3): 347–63.
- Sadler, J. E. (2004) *Implementing the Youth 'Anti-Social Behaviour' Agenda: Policing the Ashton Estate*. Unpublished PhD Thesis awarded at the University of London, Goldsmiths College.
- Squires, P. and Stephen, D. (2005) *Rougher Justice: Anti-social Behaviour and Young People*. Cullompton: Willan Publishing.

- Verkaik, R. (2005) ‘The Asbo Generation’, *The Independent*, 20 June: 1.
- Waiton, S. (2001) *Scared of the Kids? Curfews, Crime and the Regulation of Young People*. Sheffield: Sheffield Hallam University Press.
- Wilson, J. Q. and Kelling, G. L. (1982) ‘Broken Windows: The Police and Neighbourhood Safety’, *The Atlantic Monthly* March: 29–38.
- Young, J. (1999) *The Exclusive Society: Social Exclusion, Crime and Difference in Late Modernity*. London: SAGE.

UK Legislation

- The Crime and Disorder Act 1998* (Chapter 37). London: The Stationery Office.
- The Criminal Justice and Police Act 2001* (Chapter 16). London: The Stationery Office.
- The Police Reform Act 2002* (Chapter 38). London: The Stationery Office.
- The Anti-social Behaviour Act 2003* (Chapter 38). London: The Stationery Office.

Joanna Sadler works for the Independent Police Complaints Commission, London, UK.
This article is written in a personal capacity.